

No. 10943-5Lab-76/34751.—In exercise of the powers conferred by section 87 read with section 91-A of the Employees State Insurance Act, 1948 (Central Act 34 of 1948) and all other powers enabling him in this behalf the Governor of Haryana hereby exempts the Handloom Manufacturing units at Panipat from the operation of the said Act for a period of one year with effect from 24th March, to 23rd March, 1977.

The 27th December, 1976

No. 12613-4Lab-76/35013.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the Management of M/s. Sharco Industries (P) Ltd., Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

Reference No. 136 of 1973

between

THE WORKMEN AND THE MANAGEMENT OF M/S. SHARCO INDUSTRIES, (P) LTD.,
MATHURA ROAD, FARIDABAD

AWARD

By order No. ID/FD/73/33211, dated 20th July, 1973 the Governor of Haryana, referred the following disputes between the management of M/s. Sharco Industries, (P) Ltd., Mathura Road, Faridabad and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

- (1) Whether the workmen should be given washing allowance for washing the uniforms ? If so, with what details ?
- (2) Whether the workmen in paint shop, buffing Department and Die Casting Section should be given Milk and Gur ? If so, with what details ?

On receipt of this reference notices were issued to both the parties. Both the parties appeared and filed their pleadings. From the pleadings of the parties the following issues were framed by my learned predecessor.

- (1) Whether the workmen raised a notice of demands on the management in respect of the dispute as referred to this Tribunal and the later rejected it before the matter was taken to the Conciliation Officer ?
- (2) Whether the demands of the workmen were espoused by substantial number of workmen ?
- (3) Whether the workmen should be given Washing allowance for washing the uniforms ? If so, with what details ?
- (4) Whether the workmen in paint shop, buffing Department and Die casting section should be given Milk and Gur ? If so, with what details ?

The management have stated that a settlement had been arrived at and the case was fixed for admission and denial of the settlement. The representative of the workmen neither admitted the settlement nor denied it. Hence the management was directed to prove the settlement. Thereafter the parties prayed for adjournment. On 14th October, 1976 none appeared for the workmen, but on an application of the representative of the workmen the case was adjourned to 17th November, 1976. On 17th November, 1976 the representative of the workmen made a statement that he has no instructions from the workmen and he does not want to pursue and contest the case. Hence the case was fixed for ex parte evidence of the management today on 1st December, 1976. Today the management examined one witness Shri P. K. Jain, Managing Director of the management as M.W. 1, who proved the settlement. I have persued the settlement Ex. M-1. The settlement was arrived at to promote goodwill and harmonious relations between the workmen and the management which fact find place in the settlement. The management agreed to give the increments to the workers as per enclosed list, which forms part of the settlement and this award. This increment includes the yearly increments. The management further, as a matter of goodwill, agreed to supply one uniforms consisting of one Cotton Pent and Bhushirt to all the workmen without any future commitment to which the workmen agreed. The workmen agreed to withdraw from this reference and another reference No. 3 of 1970 and also assured the management to bring the level of profit.

As regards demand No. 1, I find that there is no dispute between the parties, as the settlement does not refer to this demand which means that the workmen have abandoned this demand.

As regards demand No. 2 also I find that there is no dispute between the parties, as the settlement makes no mention of this demand also, which leads me to conclude that the workmen have abandoned this demand also.

As regards the benefits given to the workmen by the settlement Ex. M-1, which have been described above, the management shall be bound to give the settled benefits to the workmen, viz :—

- (1) The management shall supply to the workmen one uniform consisting of one cotton pent and Bhushirt to all the workers without any future commitment.
- (2) The management shall allow the increment to all the workmen mentioned in the list which is Ex. M-2 under the Head "Increment allowed". I submit my award accordingly. The list of increment be allowed forms part of the award and be sent along with the award for publication in the Haryana Government Gazette together with the award. The benefit given under the above said settlement shall cover reference No. 3 of 1970 also.

NATHU RAM SHARMA,

Dated the 2nd December, 1976.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1278, Dated 6th December, 1976.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Dated the 6th December, 1976.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Annual increment allowed to the workers as detailed below keeping in view the good relations as agreed upon by them which includes on the part of the workers for withdrawing their cases pending before the various authorities particularly ; Ref. No. 136 of 73-General demands, washing allowance etc. etc.

- (ii) Ref. No. 3/70-Old general demands.
- (iii) Regarding the late payment of wages-pending before the Wage Authority for July, 1925.

Name of the workers	Salary as on 31st December, 1976	Increment allowed	Signature of the workers
1. Shri Balloo Khan	..	284.00	25.00 Sd/-
2. Shri Man Singh	..	231.00	25.00 Do
3. Shri Soni	..	183.00	25.00 Do
4. Shri Bishram Singh	..	240.00	25.00 Do
5. Shri Raj Bahadur	..	198.50	25.00 Do
6. Shri Daya Ram	..	176.00	15.00 Do
7. Shri Keshav Sharma	..	336.00	25.00 Do

Name of the workers	Salary as on 31st December 1976	Increment allowed	Signature of the workers
8. Shri Shiv Shanker	175.50	20.00	Signature
9. Shri Chet Ram	195.00	13.00	Do
10. Shri Ram Kishan	190.50	25.00	Do
11. Shri Phool Chand	162.00	20.00	Do
12. Shri Jai Parkash	183.00	15.00	Do
13. Shri Shiv Nath	183.00	15.00	Do
14. Shri Sangram Singh	161.00	20.00	Do
15. Shri Dharam Bir	171.00	20.00	Do
16. Shri Madan Gopal	162.00	15.00	Do
17. Shri Sohan Lal	175.50	20.00	Do
18. Shri Raj Kumar	162.00	20.00	Do
19. Shri Jalsehwar	183.00	15.00	Do
20. Shri Chhotey Lal	170.00	20.00	Do
21. Shri Raja Ram	170.00	15.00	Do
22. Shri Mathura Pd.	170.00	15.00	Do
23. Shri Balram Singh	253.00	15.00	Do
24. Shri Hira Singh	170.00	20.00	Do
25. Shri Jamuna Parshad	170.00	15.00	Do
26. Shri Ram Partap	430.00	25.00	Do
27. Shri Sita Ram II	170.00	10.00	Do
28. Shri Kanahiya Lal	170.00	10.00	Do
29. Shri Surinder Parshad	170.00	15.00	Do
30. Shri Swatoop Singh	200.00	15.00	Do
31. Shri Raj Pal	170.00	10.00	Do
32. Shri Paras Nath	170.00	10.00	Do
33. Shri Sadhu Sharan	170.00	10.00	Do
34. Shri Ranbir Singh	198.00	10.00	Do

(Sd.)
Managing Director.

Attested :

(NACHURAM SHARMA),
Presiding Officer,
Industrial Tribunal, Hariana.
Faridabad.